

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CONTEMPT PETITION NO.46 OF 1999

Dilip Shankar Patil & Anr.

..Petitioner

vs.

The State of Maharashtra & Ors.

...Respondents

Mr.Neel Helekar i/b Mr.S.M.Dharap for the Petitioners
Ms S.S.Bhende, A.G.P. for State

CORAM: A.S.OKA, J.
DATE : MARCH 29, 2007.

P.C.:

1. Heard learned Advocates for the parties. The allegation made in the Petition is as regards breach of the order dated 6th October 1988 passed by the learned Member of the Industrial Court at Nashik. By the said order, the Executive Engineer of the Public Works Department of the State Government was directed to pay to the complainants (Petitioners herein) the arrears of the wages payable as shown against their names in paragraph No.2 of the said order within a period of one month from the date of the said order. This Contempt Petition was filed as compliance was not made within a stipulated period.

2. I have perused the Affidavit of one Ramdas Bhivsan Koli, Deputy Engineer (Mechanical), Nashik. He has tendered unconditional apology to this Court on account of failure to comply with the said order. In the Affidavit he has set out that on 5th and 6th July 1999, the order passed by the

Industrial Court on 6th October 1998 was complied with. The receipts executed by the Petitioners have been annexed to the Affidavit.

3. It is true that the order is not complied with within the time stipulated by making payment of arrears to the Petitioners. The concerned Engineer has tendered an apology which deserves to be accepted. In view of the acceptance of the apology and compliance with the order, no further action is called for and the notice issued to the Respondents is discharged. Petition is disposed of.

JUDGE